

REMARKS

Upon entry of the present amendment, claims 1, 3-7 and 10-12 will remain pending in the above-identified application and stand ready for further action on the merits. The amendments made herein to the specification and claims do not incorporate new matter into the application as originally filed. For example, the amendment to the specification at page 30 simply corrects a typographical error in Comparative Example 4 so that the same properly sets forth what was actually carried out as a procedure.

Regarding the amendment to claim 1, support for the same occurs in original claim 2 and page 13, lines 21-24 of the specification. Regarding the amendment to claim 3, this amendment simply changes the dependency of the claim to claim 1. Regarding the amendment to claim 4, support for this amendment occurs at page 2, lines 6-10 and page 31, last full paragraph, of the specification. The amendments to claims 6 and 10 simply change the word "wherein" to "which" for grammatical purposes.

Accordingly, entry of the present amendment is respectfully requested.

Elections/Restrictions

Applicants acknowledge their prior election with traverse to prosecute the invention of claims 1-7 and 10-12. Applicants have cancelled non-elected claims 8-9 and 13. A divisional application

has already been filed on the non-elected claims (i.e., Serial Number 10/697,888, filed October 31, 2003).

Rejection Under 35 USC § 102/103 Over Jin (US 5,508,069)

The USPTO asserts that claims 1, 4 and 5 are anticipated by or, in the alternative, obvious over Jin '069. The USPTO argues that Jin teaches the instant LC polyester solution in p-chlorophenol. Reconsideration and withdrawal of the rejection is respectfully requested based on the following considerations.

As amended herein, the LC polyester of the present invention is a specific one comprising 30 to 80% by mole of a structural unit derived from p-hydroxybenzoic acid, 10 to 35% by mole of a structural unit derived from at least one compound selected from the group consisting of hydroquinone, resorcinol, 4,4'-dihydroxybiphenyl, bisphenol A and bisphenol S, and 10 to 35% by mole of a structural unit derived from at least one compound selected from the group consisting of terephthalic acid, isophthalic acid and naphthalenedicarboxylic acid.

Jin '069 does not describe the above specific LC polyester, and furthermore, Jin '069 does not teach or imply either of the solution or the film of the present claim.

Further, Jin '069 is directed to an orientation film as disclosed at column 2, lines 45-54, and Example 2 thereof, which is anisotropic.

Accordingly, the present invention is not anticipated by nor rendered obvious by the disclosure of Jin '069.

Rejection Under 35 USC § 102/103 Over EP 0672721

The USPTO asserts that claims 1-5 are anticipated by or, in the alternative, obvious over EP 0672721. The USPTO argues that use of tetrachlorophenol is taught at page 9, lines 19-21 of EP 0672721. Reconsideration and withdrawal of the rejection is respectfully requested based on the following considerations.

As amended herein, the solution of the present invention contains the aromatic liquid-crystalline polyester in an amount of from 2 to 10 parts by weight. On the other hand, EP 0672721 discloses a solution containing an aromatic liquid-crystalline polyester in an amount of 1 wt% (0.1 g in 10cc).

Therefore, EP 0672721 does not disclose or teach the solution of the present invention, or otherwise motivate one of ordinary skill in the art to arrive at the same.

Accordingly, the present invention is not anticipated by, nor rendered obvious by EP 0672721.

Rejections Under 35 USC § 102/103 Over Kasatani et al. (US 4,529,565)

The USPTO asserts that claims 1, 2 and 4 are anticipated by or, in the alternative, obvious over Kasatani et al. '565. The

USPTO argues that Kasatani et al. '565 teaches the instant LC polyester and a solution of the said LC polyester. Reconsideration and withdrawal of the rejection is respectfully requested based on the following considerations.

As amended herein, the solution of the present invention contains the aromatic liquid-crystalline polyester in an amount of from 2 to 10 parts by weight. On the other hand, Kasatani et al. '565 discloses a solution containing an aromatic liquid-crystalline polyester in an amount of 0.5 wt% (0.5 g/dl).

Therefore, Kasatani et al. '565 does not disclose or teach any solution of the present invention, or otherwise motivate one of ordinary skill in the art to arrive at the same.

Additionally, the USPTO alleges that Kasatani et al. '565 teaches various films for flexible PC boards and electric parts. Kasatani et al. '565 teaches a film of a LC polyester, but Kasatani et al. '565 does not disclose or teach a film with a lessened anisotropy. Further, Kasatani et al. '565 discloses a film produced by an extrusion method such as inflation, which is usually an orientation film, that is, an anisotropic film similar to that of Comparative Example 4 in the present specification (see page 30). Furthermore, Kasatani et al. '565 does not teach a casting method to form a film as recited in the present invention.

Therefore, Kasatani et al. '565 does not disclose or teach any film of the present invention, or otherwise motivate one of ordinary skill in the art to arrive at the same.

Accordingly, the present invention is not anticipated by, nor rendered obvious by Kasatani et al. '565.

Rejection Under 35 USC § 103 Over Kasatani et al. (US '565) In View Of Jin (US '069)

The USPTO asserts that claims 1-2 and 4-5 are obvious over Kasatani et al. '565 in view of Jin '069. Reconsideration and withdrawal of this rejection is requested based on the following considerations.

As discussed above, Kasatani et al. '565 does not teach or suggest a casting method to form a film with a lessened anisotropy, but merely implies an extruding method to form a film with anisotropy. Further, Jin '069 does not disclose a solution of the present invention as claimed. Therefore, there is no motivation provided to those of ordinary skill in the art to combine these two references in the manner asserted by the USPTO (i.e., to apply a method disclosed by Jin '069 to form a film disclosed by Kasatani et al. '565), since these two references are directed to different polyesters from each other. Additionally, these two references are directed to an orientation film, which is different from the instantly claimed invention.

Accordingly, the present invention is not rendered obvious by the combination of Kasatani et al. '565 in view of Jin '069.

Rejection Under 35 USC § 102/103 Over Walpita et al. (US 5,962,122) or Murakami et al. (US 5,408,347)

The USPTO asserts that claim 4 is anticipated by or, in the alternative, obvious over Walpita et al. '122 or Murakami et al. '347. Reconsideration and withdrawal of this rejection is requested based on the following considerations.

Walpita et al. '122 does not disclose a film with a lessened anisotropy as recited in claim 4. Further, Walpita et al. '122 merely discloses a method for forming a film by extrusion, compression molding, or calendering, but does not disclose a method of casting as recited in the present claim. Also, Murakami et al. '347 is directed to an alignment film that is an anisotropic film.

Accordingly, the present invention is not anticipated by, nor rendered obvious by Walpita et al. '122 or Murakami et al. '347, or a combination thereof.

Rejection Under 35 USC § 103 Over Yoda et al. (US 5,943,110)

The USPTO asserts that claims 1-5 are obvious over Yoda et al. '110. The USPTO argues that Yoda et al. '110 teach various LC polyester solutions of the instant invention and casting thereof.

Reconsideration and withdrawal of the rejection is based on the following considerations.

Yoda et al. '110 does not disclose a specific LC polyester as instantly claimed. Further, even if Yoda et al. '110 discloses a casting method, Yoda et al. '110 is directed to an oriented film. Further, Yoda et al. '110 does not suggest or imply that a solution of the present invention can provide a film with a lessened anisotropy, or suggest or imply the film of the present invention. No motivation is provided in the Yoda et al. '110 reference to arrive at the instant invention as claimed.

Accordingly, the present invention is not obvious over Yoda et al. '110.

Rejection Under 35 USC § 103 Over Murakami et al. (US '347) and Jin (US '069), Yoda et al. (US '110), EP 0672721 or Kasatani et al. (US '565) and Further In View Of Walpita et al. (US '122)

The USPTO asserts that claims 1-7 and 10-12 are obvious over the references set forth above. Reconsideration and withdrawal of the rejection is requested based on the following considerations.

As discussed above, none of the cited references disclose or suggest the present invention even if they are combined. Furthermore, there is no motivation provided in any of the cited references that would allow one of ordinary skill in the art to arrive at the instant invention as claimed.

Accordingly, the present invention is not obvious over any of the cited art, whether considered singularly or in combination.

Rejection Under 35 USC § 103 Over Walpita et al. (US '122) In View Of Jin (US '069), Yoda et al. (US '110), EP 0672721 or Kasatani et al. (US '565)

The USPTO asserts that claims 1, 4-7 and 10-12 are obvious over the references set forth above. Reconsideration and withdrawal of the rejection is requested based on the following considerations.

As discussed above, none of the cited references disclose or suggest the present invention, even if they are combined. Furthermore, there is no motivation provided in any of the cited references, which would allow one of ordinary skill in the art to arrive at the instant invention as claimed.

Accordingly, the present invention is not obvious over any of the cited art references, whether considered singularly or in combination.

CONCLUSION

Based upon the amendments and remarks presented herein, the Examiner is respectfully requested to issue a Notice of Allowance clearly indicating that claims 1, 3-7 and 10-12 are allowed and patentable under the provisions of Title 35 of the United States

Code. In this respect, none of the cited art relied upon by the USPTO teaches or otherwise motivates one of ordinary skill in the art to arrive at the present invention as claimed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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